Remarks

Claims 1-61 are pending in the application and stand rejected.

Claim objections

Withdrawal of the objection to claim 40 is respectfully requested in view of the amendment thereto set forth above.

Claim rejections

Section 102

Claims 32, 48 and 55 were rejected under 35 USC 102(b) as being anticipated by Brendzel (US 5,912,952). The Applicant respectfully traverses. Brendzel does not anticipate claims 32, 48 and 55 for at least the reason that they recite retrieving a personal user list. The Examiner cites Fig. 3, #302 and col. 5, lines 5-20 of Brendzel as corresponding to the latter feature. However, this disclosure does not anticipate the claimed personal user list. Block 302 in Fig. 2 only indicates an "off-hook" mode. Lines 5-20 of col. 5 relate to general hierarchical menus, not a personal user list. Accordingly, claims 32, 48 and 55 are allowable over Brendzel. Withdrawal of the rejection of claims 32, 48 and 55 is therefore respectfully requested.

Section 103

Claims 1-10, 15, 16, 19-21, 24, 25, 28 and 29 were rejected under 35 USC 103(a) as being unpatentable over Brendzel in view of Srinivasan (US 5,724,412). The Applicant respectfully traverses. The rejected claims are allowable over the cited references for at least the reason that each of the claims calls for transmitting non-converted information on a voice portion of a communications channel, and transmitting converted information on a data control portion of a communications channel. Both Brendzel and Srinivasan are completely silent regarding the latter. The Examiner recognizes that Brendzel does not disclose converting information into text. Therefore, contrary to the Examiner's remarks, Brendzel cannot suggest *transmitting* converted information. Accordingly, claims 1-10, 15, 16, 19-21, 24, 25, 28 and 29 are allowable

over Brendzel and Srinivasan. Withdrawal of the asserted rejection is therefore respectfully requested.

Claims 11-14, 17, 18, 22, 23, 26, 27, 30 and 31 were rejected under 35 USC 103(a) as being unpatentable over Brendzel and Srinivasan, and further in view of Dodrill et al. (US 6,738,803) ("Dodrill"). The Applicant respectfully traverses. Each of the rejected claims includes the features of one of independent claims 1, 17, 20, 24 or 28 by dependency thereon. These independent claims are allowable over Brendzel and Srinivasan as discussed above. Dodrill clearly does not remedy the deficiencies in Brendzel and Srinivasan with respect to the independent claims. Therefore, claims 11-14, 17, 18, 22, 23, 26, 27, 30 and 31 are allowable over Brendzel, Srinivasan and Dodrill for at least the reasons discussed in connection with the noted independent claims. Withdrawal of the rejection of claims 11-14, 17, 18, 22, 23, 26, 27, 30 and 31 is therefore respectfully requested.

Claims 33-47, 49-54 and 56-61 were rejected under 35 USC 103(a) as being unpatentable over Brendzel in view of D'Angelo (US 6,717,938). Independent claims 32, 48 and 55 are allowable over Brendzel as discussed above. D'Angelo does not remedy deficiencies in Brendzel with respect to claims 32, 48 and 55. Therefore, claims 33-47, 49-54 and 56-61 are allowable over Brendzel and D'Angelo for at least the reason that they include the features of one of claims 32, 48 or 55 by dependency thereon. Withdrawal of the rejection of claims 33-47, 49-54 and 56-61 is therefore respectfully requested.
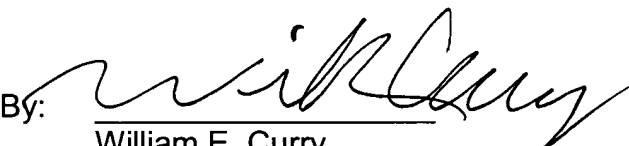
Conclusion

In light of the above discussion, Applicant respectfully submits that the present application is in all aspects in allowable condition, and earnestly solicits favorable reconsideration and early issuance of a Notice of Allowance.

The Examiner is invited to contact the undersigned at (202) 220-4323 to discuss any matter concerning this application. The Office is authorized to charge any fees related to this communication to Deposit Account No. 11-0600.

Respectfully submitted,

Dated: MAY 18, 2005   By: _____
                                       William E. Curry
                                       Reg. No. 43,572

KENYON & KENYON
1500 K Street, N.W., Suite 700
Washington, D.C. 20005
Tel: (202) 220-4200
Fax:(202) 220-4201